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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

NEIL MORGON HENDERSON,

Defendant and Appellant.

2d Crim. No. B245101
(Super. Ct. No. LA066656-01)
(Los Angeles County)

Neil Morgon Henderson appeals a judgment following his conviction of escape by force or violence (count 1) and resisting an executive officer (count 2), with findings that he suffered a felony strike conviction and served three prison terms. (Pen. Code, §§ 4532, subd. (b)(2), 69, 667, subds. (b)-(i), 1170.12, subds. (a)-(d), 667.5, subd. (b).)¹

At a jury trial, the prosecutor presented evidence that on August 16, 2010, Henderson escaped from a Los Angeles courtroom as he awaited a hearing. A deputy sheriff chased him into the hallway and attempted to restrain him. A scuffle ensued and Henderson pushed the deputy, who fell and injured his head and shoulder. Two police officers then assisted the deputy in restraining and handcuffing Henderson.

In a separate proceeding, the prosecutor presented evidence that Henderson suffered a serious felony strike conviction and served four prison terms. (§§ 667, subds. (b)-(i), 1170.12, subds. (a)-(d), 667.5, subd. (b).)

¹ All further statutory references are to the Penal Code unless stated otherwise.

The jury convicted Henderson of escape by force or violence and resisting an executive officer. (§§ 4532, subd. (b)(2), 69.) It found that he did not personally inflict great bodily injury in committing the crime. (Former § 12022.7, subd. (a).) The jury also found that Henderson suffered a serious felony strike conviction and served four prison terms. (§§ 667, subds. (b)-(i), 1170.12, subds. (a)-(d), 667.5, subd. (b).) The court sentenced Henderson to a 15-year prison term, consisting of a doubled six-year term for count 1, one year for each of three prior prison terms served, and a stayed three-year term for count 2.² The court also imposed a \$200 restitution fine and a \$200 parole revocation restitution fine (stayed), an \$80 court security assessment, and a \$60 criminal conviction assessment. (§§ 1202.4, subd. (b), 1202.45, 1465.8, subd. (a); Gov. Code, § 70373.) The court did not award Henderson presentence custody credit.

We appointed counsel to represent Henderson in this appeal. After counsel's examination of the record, she filed an opening brief raising no issues.

On July 8, 2013, we advised Henderson that he had 30 days within which to personally submit any contentions or issues that he wished to raise on appeal. We have not received a response.

We have reviewed the entire record and are satisfied that Henderson's attorney has fully complied with her responsibilities and that no arguable issue exists. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment is affirmed.

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GILBERT, P.J.

We concur:

YEGAN, J.

PERREN, J.

² The trial court did not impose punishment for the fourth prison term served.

Joseph Brandolino, Judge
Superior Court County of Los Angeles

Joy A. Maulitz, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.